

Attorney Docket No. 0343-0030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:
 James Rimsa, et al.

Serial No.: 10/718,336

Filed: November 20, 2003

Examiner: Not Yet Assigned

Art Unit: 3652

For: FRONT MOUNTED LIFTER FOR

FRONT LOAD VEHICLE AND REFUSE COLLECTION METHOD

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

"Express Mail" Mailing Label: EV322848525US Date of Deposit: ___ June 10, 2004

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NAME: Francisca M.A. Hubbard

(TYPED OR PRINTED)///

SIGNATURE: Tramoroo 1

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.97, Applicants hereby call the Examiner's attention to documents listed on the attached forms, which documents may be material to the examination of this application.

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be



construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicants also respectfully reserve the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

ON SALE/PUBLIC USE

Applicant also wants to bring to the attention of the Examiner the facts of certain devices being on-sale and/or in public use more than one year before the priority date for the present application, that is more than one year prior to November 20, 2003.

Specifically, the lifter substantially as illustrated in Figures 3-11 of U.S. Patent No. 6,503,045 was on-sale and/or in public use prior to November 20, 2002. In addition, the Perkins Model D6080 lifter, as shown and described in the brochure "The

Original Rotary Tuckaway," was also on sale and/or in public use prior to November 20, 2002.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Accordingly, it is believed that no fee is required for the submission of this Information Disclosure Statement. However, if it is determined that any fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

Date: 1 une 10, 2004

Gary W. McFarron

Registration No. 27,357

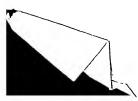
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FORM		First Named Inventor	James Rimsa, et al.
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Total Number of Pages in This Submission		Attorney Docket Number	0343-0030
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Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request X Information Disclosure Statement (3 pgs.) Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53		Prawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Addre Ferminal Disclaimer Request for Refund CD, Number of CD(s)	After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information
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Firm Gary W. McFarron, R	eg. No.		
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I hereby certify that this correspondence is be sufficient postage as first class mail in an envithe date shown below. BY EXPRESS	ing facsir elope add MAIL I	nile transmitted to the USPTO or tressed to: Commissioner for Pat EV322848525US	deposited with the United States Postal Service with ents, P.O. Box 1450, Alexandria, VA 22313-1450 on
Signature Francisca M. /	4. Hubb	pard	Date June 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
James Rimsa, et al.) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
Serial No.: 10/718,336	"Express Mail" Mailing Label No.: EV322848525US) Date of Deposit June 10, 2004
Filed: November 20, 2003) I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated
Group Art No.: 3652	above and is addressed to the Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450
Examiner: Not Yet Assigned	NAME Francisca M.A. Hubbard
For: FRONT MOUNTED LIFTER FOR FRONT LOAD VEHICLE AND REFUSE COLLECTION METHOD	signature tromoso M/ Hilber

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Name: Francisca M.A. Hubbard
Signature: Manage Management

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	1,763,499	06-10-30	R. S. Bolger		1	
	3,040,919	06-26-62	J. R. Nolan			
	3,136,436	06-09-64	Erlinder et al.			
	3,170,580	02-23-65	Victor G. Soyko	İ		
	3,270,902	09-06-66	E. R. Breault			
	1 '	10-18-66	M. J. Evers	÷		
		06-27-67	B. M. Kolling			
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		01-21-75	Sink, Sr.			
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	3,944,092	03-16-76	Ebeling et al.			
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	4,090,626	05-23-78	Ebeling et al.			
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		11-27-79	Carson			
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	4,227,849	10-14-80	Worthington			
	4,230,359	10-28-80	Smith			
	4,237,857	12-09-80	Sharp, Sr.			
	4,295,776	10-20-81	Payne et al.			
	4,313,707	02-02-82	Bingman et al.			
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	4,372,726	02-08-83	Lutz	ļ		
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	4,435,117	03-06-84	House			
	4,450,828	05-29-84	Oaken et al.			
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	4,527,939	07-09-85	Suarez				
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	4,936,732	06-26-90	Naab et al.			
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	6,183,185	02-06-01	Zanzig et al.				
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	6,413,031	07-02-01	Yakley et al.				
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	6,551,046	04-22-03	Dorrington		!		
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	3,211,312	10-12-65	_	J. P. Miller					
	3,415,169	12-10-68	i	M. Naddell					
1	3,147,870	09-08-64		G.E. Urban et	al.				
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LIST OF PUBLICATIONS CITED BY THE APPLICANT	Applicant James Rimsa, et al.	Examiner Name
	Filing Date November 20, 2003	Group 3652

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	3,327,876	06/27/1967	Kolling			
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Attorney Docket No. Serial No. 0343-0030 10/718,336 Examiner Name LIST OF PUBLICATIONS Applicant CITED BY THE APPLICANT James Rimsa, et al. Filing Date Group November 20, 2003 3652 U.S. PATENT DOCUMENTS **Document** Examiner Sub-Date Name Class Filing Date Initial Class Number 5,333,984 Bayne et al. 08/02/1994 5,720,588 02/24/1998 Graves 3,730,365 05/01/1973 Herpich et al. Date Considered: Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP form. Draw a line through citation if *Examiner: not in conformance and not considered. Include a copy of this form with next communication to applicant.

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Attorney Docket No. Serial No. 10/718,336 0343-0030 Examiner Name LIST OF PUBLICATIONS Applicant CITED BY THE APPLICANT James Rimsa, et al. Filing Date Group November 20, 2003 3652 OTHER PUBLICATIONS Examiner Include name the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), date, page(s), volume issue number(s), publisher city and/or country where published Initial Arrez et al., U.S. Patent Application Serial No. 10/767,041, filed January 29, 2004, entitled "Heavy Duty Cart Lifter." Arrez et al., U.S. Patent Application Serial No. 10/691,989, filed October 23,2003, entitled "Receptacle Lifter With Retractable Gripper Arms." Examiner: Date Considered: Initial if reference considered, whether or not citation is in conformance with MPEP form. *Examiner: Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.